

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

HENRY NARANJO and
MARLENE RAMIREZ,


CASE NO. 00-6022-CIV-LENARD
MAGISTRATE JUDGE TURNOFF

Plaintiff,

vs.

STEPHEN BYRON SMITH
and PALMER JOHNSON, INC.,

Defendants.

FILED BY 
00 AUG 31 / AM 10:36
CLERK U.S. DIST. CT.
S.D. OF FL.-MIAMI

ANSWER TO CROSS-CLAIM OF PALMER JOHNSON

Cross-defendant Stephen Byron Smith (hereinafter "Smith"), by and through his under-signed counsel, herewith files his answer to the cross-claim of defendant/cross-claimant Palmer Johnson, Inc., and states and avers the following:

ANSWER

1. All material allegations set forth in the cross-claim of Palmer Johnson are denied and strict proof thereof is demanded.
2. The cross-claim fails to state a cause of action for indemnification and should therefore be dismissed with prejudice.
3. There is no legal basis for recovery of attorneys' fees even should Palmer Johnson prevail on its cross-claim, and accordingly the claim for attorneys' fees is stricken.

WHEREFORE, based upon the foregoing, cross-defendant Smith prays that the cross-claim be dismissed with costs to be taxed against Palmer Johnson, Inc.



I HEREBY CERTIFY that a true and correct copy of the foregoing has been mailed
to all attorneys of record on the attached service list, this 29 day of August, 2000.

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